

TRAITÉ DE COOPÉRATION EN MATIÈRE DE BREVETS

PCT

RAPPORT PRÉLIMINAIRE INTERNATIONAL SUR LA BREVETABILITÉ

(chapitre I du Traité de coopération en matière de brevets)

(règle 44bis du PCT)

Référence du dossier du déposant ou du mandataire S6494PCTFSM	POUR SUITE À DONNER		Voir le point 4 ci-dessous
Demande internationale no. PCT/FR2005/050154	Date du dépôt international (<i>jour/mois/année</i>) 10 March 2005 (10.03.2005)	Date de priorité (<i>jour/mois/année</i>) 16 March 2004 (16.03.2004)	
Classification internationale des brevets (8 ^e édition, sauf indication d'une #édition antérieure) Voir les informations pertinentes dans le formulaire PCT/ISA/237			
Déposant L'AIR LIQUIDE SOCIETE ANONYME A DIRECTOIRE ET CONSEIL DE SURVEILLANCE POUR L'ETUDE ET L'EXPLOITATION DES PROCEDES GEORGES CLAUDE			

1. Le présent rapport préliminaire international sur la brevetabilité (chapitre I) est établi par le Bureau international au nom de l'administration chargée de la recherche internationale selon la règle 44bis.1.a).

2. Ce RAPPORT comprend un total de 6 feuilles, y compris la présente feuille de couverture.

Dans les feuilles jointes, toute référence à l'opinion écrite de l'administration chargée de la recherche internationale doit être entendue, à la place, comme une référence au rapport préliminaire international sur la brevetabilité (chapitre I).

3. Le présent rapport contient des indications relatives aux points suivants :

- | | | |
|-------------------------------------|---------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> | Cadre n° I | Base de l'opinion |
| <input type="checkbox"/> | Cadre n° II | Priorité |
| <input type="checkbox"/> | Cadre n° III | Absence de formulation d'opinion quant à la nouveauté, l'activité inventive et la possibilité d'application industrielle |
| <input type="checkbox"/> | Cadre n° IV | Absence d'unité de l'invention |
| <input checked="" type="checkbox"/> | Cadre n° V | Déclaration motivée selon l'article 35.2) quant à la nouveauté, l'activité inventive et la possibilité d'application industrielle; citations et explications à l'appui de cette déclaration |
| <input type="checkbox"/> | Cadre n° VI | Certains documents cités |
| <input checked="" type="checkbox"/> | Cadre n° VII | Certaines irrégularités relevées dans la demande internationale |
| <input type="checkbox"/> | Cadre n° VIII | Certaines observations relatives à la demande internationale |

4. Le Bureau international communiquera le présent rapport aux offices désignés conformément aux règles 44bis.3.c) et 93bis.1 mais pas avant l'expiration du délai de 30 mois à compter de la date de priorité (règle 44bis.2), sauf si le déposant a présenté une requête expresse à cet égard en vertu de l'article 23.2).

Bureau international de l'OMPI 34, chemin des Colombettes 1211 Geneva 20, Switzerland no de télécopieur +41 22 338 82 70	Date d'établissement du présent rapport 01 November 2006 (01.11.2006) Fonctionnaire autorisé Athina Nickitas-Etienne e-mail: pt04@wipo.int
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TRANSLATION

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43*bis*.1)

To:

Date of mailing (day/month/year) See form PCT/ISA/210

Applicant's or agent's file reference

S6494PCTFSM

FOR FURTHER ACTION

See paragraph 2 below

International application No.

PCT/FR2005/050154

International filing date (day/month/year)

10.03.2005

Priority date (day/month/year)

16.03.2004

International Patent Classification (IPC) or both national classification and IPC

B01J19/32, F25J3/02

Applicant

L'AIR LIQUIDE SOCIETE ANONYME A DIRECTOIRE ET CONSEIL DE
SURVEILLANCE POUR L'ETUDE ET L'EXPLOITATION DES PROCEDES GEORGES

1. This opinion contains indications relating to the following items:

- | | | |
|-------------------------------------|--------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> | Box No. I | Basis of the opinion |
| <input type="checkbox"/> | Box No. II | Priority |
| <input type="checkbox"/> | Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| <input type="checkbox"/> | Box No. IV | Lack of unity of invention |
| <input checked="" type="checkbox"/> | Box No. V | Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/> | Box No. VI | Certain documents cited |
| <input checked="" type="checkbox"/> | Box No. VII | Certain defects in the international application |
| <input type="checkbox"/> | Box No. VIII | Certain observations on the international application |

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1(bst)(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPIA, the applicant is invited to submit to the IPIA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCF/ISA/220

3. For further details, see notes to Form PC/TSA/220.

Name and mailing address of the ISA/IEP

Authorized officer _____

Facsimile No.

Telephone No. _____

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/FR2005/050154

Box No. I	Basis of this opinion
1.	<p>With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.</p> <p><input type="checkbox"/> This opinion has been established on the basis of a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).</p>
2.	<p>With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:</p> <p>a. type of material</p> <p><input type="checkbox"/> a sequence listing</p> <p><input type="checkbox"/> table(s) related to the sequence listing</p> <p>b. format of material</p> <p><input type="checkbox"/> in written format</p> <p><input type="checkbox"/> in computer readable form</p> <p>c. time of filing/furnishing</p> <p><input type="checkbox"/> contained in the international application as filed.</p> <p><input type="checkbox"/> filed together with the international application in computer readable form.</p> <p><input type="checkbox"/> furnished subsequently to this Authority for the purposes of search.</p>
3.	<p><input type="checkbox"/> In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.</p>
4.	<p>Additional comments:</p> <p>.</p>

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/FR2005/050154

Box No. V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1	Statement		
	Novelty (N)	Claims <u>5, 6, 8-11</u>	YES
		Claims <u>1-4, 7</u>	NO
	Inventive step (IS)	Claims _____	YES
		Claims <u>1-11</u>	NO
	Industrial applicability (IA)	Claims <u>1-11</u>	YES
		Claims _____	NO
2.	Citations and explanations:		
	1. Reference is made to the following documents:		
	D1: EP-A-0 201 614		
	D2: US-B1-6 334 985		
	D3: US 2003/124038 A1		
	D4: EP-A-0 631 813		
	2. The subject matter of claim 1 fails to comply with the requirements of PCT Article 33(2):		
	<p>D1-D4 describe cross-corrugated packing structures comprising first and second surfaces, the first surface having channels into which the second surface is inserted. The two surfaces are independent of each other, the second surface possibly being in the form of a catalyst (see D1-D4: international search report). The applicant's attention is drawn to the fact that these structures can be used, without any modification, in heat-transfer and/or mass-transfer installations (see PCT Directives, Chapter 12.05). The subject matter of claim 1 is therefore not novel.</p>		

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/FR2005/050154

Box No. V

Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

3. The additional technical features contained in dependent claims 2-11 are either known from D1-D4 or fall within the scope of the customary practice of a person skilled in the art; the subject matter of said claims thus fails to comply with the requirements of novelty and/or inventive step as defined in PCT Article 33(2) and (3).

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/FR2005/050154

Box No. VII Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

Contrary to the requirements of PCT Rule 5.1(a)(ii), the relevant prior art disclosed in documents D1-D4 is not mentioned in the description, nor are these documents identified therein.